



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32202

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REPLY TO
ATTENTION OF

DEC 6 1999

PUBLIC NOTICE

Modification
to
Department of the Army Permit Number 199404532
for the
Everglades Construction Project

TO WHOM IT MAY CONCERN. This district is considering a modification of Department of the Army permit 199404532 pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) as described below.

PROJECT NAME. Stormwater Treatment Area 3/4

PERMITTEE. South Florida Water Management District
3301 Gun Club Road
West Palm Beach, Florida 33406

WATERWAY & LOCATION. The Everglades, Palm Beach County, Florida.

BACKGROUND. Stormwater Treatment Area 3/4 (STA 3/4) is one of the components of the Everglades Construction Project (ECP). The ECP is mandated by the Everglades Forever Act (Florida Statutes Section 373.4S92) and is one part of an overall effort aimed toward meeting the State's long-term restoration objectives for the Everglades. STA 3/4 was included in the South Florida Water Management District's original application for a Department of the Army Permit for the ECP on which comments were requested by Public Notice dated October 24, 1995. STA 3/4 was included in the Programmatic Environmental Impact Statement (PEIS) for the entire ECP, released in September 1996. The PEIS described the footprint based on the General Design Memorandum prepared by Burns and McDonnell dated April 1996. This plan, in turn, is based on the Conceptual Design from the Technical Mediation Group. This group was formed to negotiate and mediate issues surrounding the Everglades Surface Water Improvement and Management Plan and related litigation. The Department of the Army Permit 199404532 was issued to the South Florida Water Management District (SFWMD) on March 13, 1997. The permit authorized the placement of fill for levees, canals, control structures, and pump stations for several components of the ECP but did not include authorization STA 3/4 based on a recognition that STA 3/4 may be modified in light of other ongoing planning activities. The process to finalize the STA 3/4 design was described by Public Notice dated December 30, 1998, including the list of concerns to be included in the analysis of alternative

designs. The SFWMD has since prepared the alternatives analysis. The purpose of this notice is to request comments on whether to modify the permit to authorize the recommended alternative.

AVAILABILITY OF SFWMD ALTERNATIVE ANALYSIS. The document can be downloaded from <http://www.sfwmd.gov/org/erd/webboard/index.html> (document is titled Stormwater Treatment Area 3/4 Task Reports). The analysis presents several physical configurations. One is the footprint from the Conceptual Design (designated C-1 in the analysis). Another is from the General Design Memorandum (designated C-3), generally the one shown by the PEIS. A third (designated C-3) forms the basis for the recommended alternative. The analysis considers two inflow and distribution alternatives and six outflow and distribution alternatives. The recommended alternative, designated C-2-1-1, provides an effective treatment area of 16,660 acres but includes the following differences from the PEIS configuration: (1) the north boundary of the STA (marked by the inflow distribution canal) is moved north approximately 5/6 mile; (2) the degradation of the south levee L-5 and construction of structures G-378 and G-380 in the canal L-5 are deferred, therefore the water discharging from the STA will not flow into the northern perimeter of Water Conservation Area 3 (the "Hydropattern Restoration for WCA 3 East" component of the ECP) and instead will return to the North New River Canal immediately upstream of S-7; (3) canal L-5 along the southern perimeter of the Holey Land will be enlarged west to Pump S-8 to transfer STA 3/4 discharges that exceed the capacity of Pump S-7; (4) the existing agricultural canals the align transversely to the primary flow direction will not be filled to maintain them as redistribution zones within the STA; (5) the interior cell configurations (the PEIS describes 'Live treatment cells separated by interior levees) will not be detailed until determination of the configuration is made during the formulation phase of the design; (6) a collection canal is added at the southern perimeter of the STA but immediately north of the Florida Power and Light right-of-way, both ends connecting to canal L-5; and, (7) the capacities of the pump stations that transfer water into the STA are increased (Pump Station G-370 on the North New River Canal is increased from 1,860 to 2,170 cubic feet per second and Pump Station G-372 on the Miami Canal, from 3,640 to 3670 cubic feet per second).

PROPOSED WORK. Placement of fill related to construction of: levees, seepage collection **canals and return** pumps to flood certain agricultural and other lands to provide an treatment area of approximately 16,660 acres; Pump Station G-370 (on the North **New River Canal**), Pump Station G-372 (on the Miami Canal) and inflow distribution canals and **control structures along the northern**

perimeter of the treatment area; a collection canal and structures along the southern perimeter **of the treatment area to discharge** flows into existing Canal L-5; widening of Canal L-5 along the southern perimeter of the Holey Land.

PUBLIC HEARING. Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of this notice and must state the specific reasons for requesting the public hearing.

ENDANGERED SPECIES. For the original permit, the U.S. Fish and Wildlife Service agreed with the Corps determination that the project is not likely to adversely affect any threatened or endangered species, contingent upon implementation of certain protection measures and conservation recommendations for the Eastern indigo snake, wood stork, and snail kite. The Corps has made an initial determination that none of the proposed changes will affect the previous determination.

PERMIT EXPIRATION. No change in the expiration date.

CULTURAL RESOURCES. The original permit provides certain protections related to three identified sites. The proposals herein do not change those protections.

IMPACTS ON NATURAL RESOURCES. Coordination with the U.S. Fish and Wildlife Service, Environmental Protection Agency, the National Marine Fisheries Service, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area. By means of this notice, we are soliciting additional comments on the potential effects of the project on threatened or endangered species or their habitat.

EVALUATION. The decision whether to issue a modification to the permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline

erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

COMMENTS. The Corps of Engineers is soliciting comments from the public, Federal, Indian Tribes, State, and local agencies and officials and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to modify the permit. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

SUBMISSION OF COMMENTS. All comments should be submitted in writing to the District Engineer at the above address not later than January 17, 2000. If you have any questions, you may contact Bob Barron of this office, telephone (904) 232-2203, or by electronic mail at robert.b.barron@usace.army.mil.

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Chief, Regulatory Division

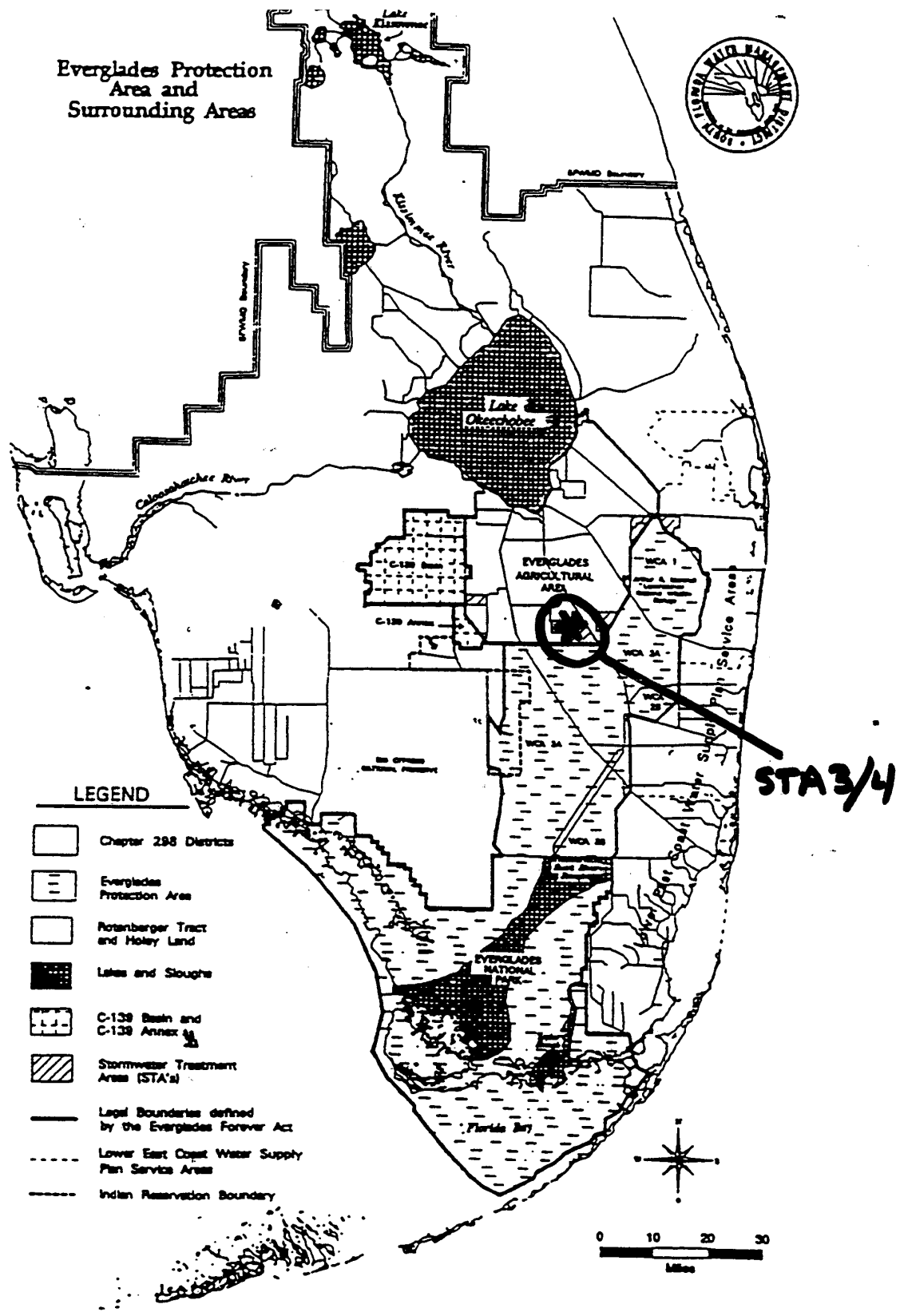


FIGURE 1

